



Attorney Docket No. 104385.140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BENNETT *et al.*

Group Art Unit: 1644

Serial No.: 08/722,659

Examiner: M. Jamroz

Filed: September 27, 1996

For: USE OF HEPARINASE TO DECREASE INFLAMMATORY RESPONSE

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Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

This is a Response to the outstanding Office Action mailed December 18, 2001.

Applicants respectfully submit that the following amendment and remarks place this application in condition for allowance. In the event that the Examiner disagrees, she is respectfully requested to call the undersigned to expedite prosecution of this application.

Rejection under 35 U.S.C. § 112, first paragraph

Claim 6 is rejected under 35 U.S.C. §112, first paragraph, as allegedly not being enabling for a heparinase enzyme expressed from a recombinant nucleotide sequence in *Flavobacterium heparinum*. Applicants respectfully disagree. Pages 15-22 of the specification adequately teach one having skill in the art to make and use heparinase enzymes within the scope of the claimed invention. Moreover, Applicants respectfully submit that the specification provides an adequate written description to teach one having skill in the art to recombinantly make heparinase enzyme in *Flavobacterium heparinum*. No evidence has been provided in the Office Action to prove otherwise. In any event, Applicants have amended claim 6 to recite: The method of claim